

Calendar No. 356

106TH CONGRESS
1ST SESSION**H. R. 764**

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 1999

Received; read twice and referred to the Committee on the Judiciary

OCTOBER 28, 1999

Reported by Mr. HATCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**AN ACT**

To reduce the incidence of child abuse and neglect, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Abuse Preven-
5 tion and Enforcement Act”.

6 **SEC. 2. GRANT PROGRAM.**

7 Section 102(b) of the Crime Identification Tech-
8 nology Act of 1998 (42 U.S.C. 14601(b)) is amended by
9 striking “and” at the end of paragraph (15), by striking

1 the period at the end of paragraph (16) and inserting “;
2 and”, and by adding after paragraph (16) the following:

3 “(17) the capability of the criminal justice sys-
4 tem to deliver timely, accurate, and complete crimi-
5 nal history record information to child welfare agen-
6 cies, organizations, and programs that are engaged
7 in the assessment of risk and other activities related
8 to the protection of children, including protection
9 against child sexual abuse, and placement of chil-
10 dren in foster care.”.

11 **SEC. 3. USE OF FUNDS UNDER BYRNE GRANT PROGRAM**
12 **FOR CHILD PROTECTION.**

13 Section 501(b) of title I of the Omnibus Crime Con-
14 trol and Safe Streets Act of 1968 (42 U.S.C. 3751) is
15 amended—

16 (1) by striking “and” at the end of paragraph
17 (25);

18 (2) by striking the period at the end of para-
19 graph (26) and adding “; and”; and

20 (3) by adding at the end the following:

21 “(27) enforcing child abuse and neglect laws,
22 including laws protecting against child sexual abuse,
23 and promoting programs designed to prevent child
24 abuse and neglect.”.

1 **SEC. 4. CONDITIONAL ADJUSTMENT IN SET ASIDE FOR**
 2 **CHILD ABUSE VICTIMS UNDER THE VICTIMS**
 3 **OF CRIME ACT OF 1984.**

4 (a) IN GENERAL.—Section 1402(d)(2) of the Victims
 5 of Crime Act of 1984 (42 U.S.C. 10601(d)(2)) is
 6 amended—

7 (1) by striking “(2) the next \$10,000,000” and
 8 inserting “(2)(A) Except as provided in subpara-
 9 graph (B), the next \$10,000,000”; and

10 (2) by adding at the end the following:

11 “(B)(i) For any fiscal year for which the
 12 amount deposited in the Fund is greater than the
 13 amount deposited in the Fund for fiscal year 1998,
 14 the \$10,000,000 referred to in subparagraph (A)
 15 plus an amount equal to 50 percent of the increase
 16 in the amount from fiscal year 1998 shall be avail-
 17 able for grants under section 1404A.

18 “(ii) Amounts available under this subpara-
 19 graph for any fiscal year shall not exceed
 20 \$20,000,000.”.

21 (b) INTERACTION WITH ANY CAP.—Subsection (a)
 22 shall be implemented so that any increase in funding pro-
 23 vided thereby shall operate notwithstanding any dollar
 24 limitation on the availability of the Crime Victims Fund
 25 established under the Victims of Crime Act of 1984.

1 ***TITLE I—THE CHILD ABUSE PRE-***
2 ***VENTION AND ENFORCEMENT***
3 ***ACT***

4 ***SEC. 101. SHORT TITLE.***

5 *This title may be cited as the “Child Abuse Prevention*
6 *and Enforcement Act”.*

7 ***SEC. 102. GRANT PROGRAM.***

8 *Section 102(b) of the Crime Identification Technology*
9 *Act of 1998 (42 U.S.C. 14601(b)) is amended by striking*
10 *“and” at the end of paragraph (15), by striking the period*
11 *at the end of paragraph (16) and inserting “; and”, and*
12 *by adding after paragraph (16) the following:*

13 *“(17) the capability of the criminal justice sys-*
14 *tem to deliver timely, accurate, and complete crimi-*
15 *nal history record information to child welfare agen-*
16 *cies, organizations, and programs that are engaged in*
17 *the assessment of risk and other activities related to*
18 *the protection of children, including protection*
19 *against child sexual abuse, and placement of children*
20 *in foster care.”.*

21 ***SEC. 103. USE OF FUNDS UNDER BYRNE GRANT PROGRAM***
22 ***FOR CHILD PROTECTION.***

23 *Section 501(b) of title I of the Omnibus Crime Control*
24 *and Safe Streets Act of 1968 (42 U.S.C. 3751) is*
25 *amended—*

1 (1) *by striking “and” at the end of paragraph*
 2 *(25);*

3 (2) *by striking the period at the end of para-*
 4 *graph (26) and inserting a semicolon; and*

5 (3) *by adding at the end the following:*

6 “(27) *enforcing child abuse and neglect laws, in-*
 7 *cluding laws protecting against child sexual abuse,*
 8 *and promoting programs designed to prevent child*
 9 *abuse and neglect; and*

10 “(28) *establishing or supporting cooperative pro-*
 11 *grams between law enforcement and media organiza-*
 12 *tions, to collect, record, retain, and disseminate infor-*
 13 *mation useful in the identification and apprehension*
 14 *of suspected criminal offenders.”.*

15 **SEC. 104. CONDITIONAL ADJUSTMENT IN SET ASIDE FOR**
 16 **CHILD ABUSE VICTIMS UNDER THE VICTIMS**
 17 **OF CRIME ACT OF 1984.**

18 (a) *IN GENERAL.*—Section 1402(d)(2) of the Victims
 19 *of Crime Act of 1984 (42 U.S.C. 10601(d)(2)) is amended—*

20 (1) *by striking “(2) the next \$10,000,000” and*
 21 *inserting “(2)(A) Except as provided in subpara-*
 22 *graph (B), the next \$10,000,000”; and*

23 (2) *by adding at the end the following:*

24 “(B)(i) *For any fiscal year for which the amount*
 25 *deposited in the Fund is greater than the amount de-*

1 *posited in the Fund for fiscal year 1998, the*
 2 *\$10,000,000 referred to in subparagraph (A) plus an*
 3 *amount equal to 50 percent of the increase in the*
 4 *amount from fiscal year 1998 shall be available for*
 5 *grants under section 1404A.*

6 *“(ii) Amounts available under this subparagraph*
 7 *for any fiscal year shall not exceed \$20,000,000.”.*

8 *(b) INTERACTION WITH ANY CAP.—Subsection (a)*
 9 *shall be implemented so that any increase in funding pro-*
 10 *vided thereby shall operate notwithstanding any dollar lim-*
 11 *itation on the availability of the Crime Victims Fund estab-*
 12 *lished under the Victims of Crime Act of 1984.*

13 ***TITLE II—JENNIFER’S LAW***

14 ***SECTION 201. SHORT TITLE.***

15 *This title may be cited as “Jennifer’s Law”.*

16 ***SEC. 202. PROGRAM AUTHORIZED.***

17 *The Attorney General is authorized to provide grant*
 18 *awards to States to enable States to improve the reporting*
 19 *of unidentified and missing persons.*

20 ***SEC. 203. ELIGIBILITY.***

21 *(a) APPLICATION.—To be eligible to receive a grant*
 22 *award under this title, a State shall submit an application*
 23 *at such time and in such form as the Attorney General may*
 24 *reasonably require.*

1 (b) *CONTENTS.*—*Each such application shall include*
2 *assurances that the State shall, to the greatest extent*
3 *possible—*

4 (1) *report to the National Crime Information*
5 *Center and when possible, to law enforcement authori-*
6 *ties throughout the State regarding every deceased un-*
7 *identified person, regardless of age, found in the*
8 *State’s jurisdiction;*

9 (2) *enter a complete profile of such unidentified*
10 *person in compliance with the guidelines established*
11 *by the Department of Justice for the National Crime*
12 *Information Center Missing and Unidentified Persons*
13 *File, including dental records, DNA records, x-rays,*
14 *and fingerprints, if available;*

15 (3) *enter the National Crime Information Center*
16 *number or other appropriate number assigned to the*
17 *unidentified person on the death certificate of each*
18 *such unidentified person; and*

19 (4) *retain all such records pertaining to uniden-*
20 *tified persons until a person is identified.*

21 **SEC. 204. USES OF FUNDS.**

22 *A State that receives a grant award under this title*
23 *may use such funds received to establish or expand pro-*
24 *grams developed to improve the reporting of unidentified*

1 *persons in accordance with the assurances provided in the*
2 *application submitted pursuant to section 203(b).*

3 ***SEC. 205. AUTHORIZATION OF APPROPRIATIONS.***

4 *There are authorized to be appropriated to carry out*
5 *this title \$2,000,000 for each of fiscal years 2000, 2001, and*
6 *2002.*

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